

Remarks

Claims 1-3 and 5-11 were pending; claims 1, 5, and 7-11 are amended herein; new claims 35 and 36 are added. As a result, claims 1-3, 5-11, 35, and 36 are now pending.

The amendments to the claims are supported throughout the specification. Amended claim 1 is supported, e.g., by originally filed claim 1, and at page 9, lines 16-18. Amended claim 5 is supported, e.g., by originally filed claims 1 and 5. Amended claims 7-9 are supported, e.g., by the corresponding originally filed claims 7-9 and FIG. 5. Amended claims 10 and 11 are supported, e.g., by the originally filed claims 10-11 and originally filed claim 1. Claim 35 is supported, e.g., at page 21, line 25 to page 22, line 6, which discusses the data that cleavage at residue 76 by ASP-N abolishes antibody binding. Claim 36 is supported, e.g., at page 21, line 25 to page 22, line 6, which discusses the data that cleavage at residue 68 by Lys-C abolishes antibody binding.

Objections to the Specification

The Examiner objected to the addition of the phrase “at least in part” to paragraph 20 in an amendment. The amended paragraph 20 is reprinted below:

[0020] In another aspect of the present invention, the repeat domain comprises 156 amino acid repeat units which comprise epitope binding sites. The epitope binding sites are located at least in part in the C-enclosure at amino acids #59-79 (marked C-C) in SEQ ID NO: 150 in Figure 5.

The amendment is supported by paragraph 38, which discloses, “The epitopes for M11 and OC125 are located in the latter part of the C-enclosure or downstream from the C-enclosure.” The amendment is also supported by paragraph 98, which discloses, “From these data, one can reasonably conclude that epitopes are either located at the site of cleavage [residue #76 of SEQ ID NO: 150, Figure 5, panel C] and are destroyed by Asp-N or are downstream from this site and also destroyed by cleavage.” These passages of the specification make clear that the epitopes can include sequences outside of residues K59-79 of SEQ ID NO: 150.

Accordingly, Applicants contend that the application as filed contains written description support for the amendment to paragraph 20, and withdrawal of the objection to the amendment to paragraph 20 is respectfully requested.

The abstract was objected to for exceeding 150 words and for referring to purported merits or speculative applications of the invention. A replacement abstract addressing these objections is submitted in this response. Applicants believe that this replacement Abstract obviates this objection.

The Examiner objected to page 19, line 18 for improper disclosure of an amino acid sequence without a sequence identifier, i.e., a SEQ ID NO. Paragraph 91 is amended herein to address this objection. Applicants believe that the amendment to paragraph 91 obviates the objection.

The Examiner objected to the specification as containing an embedded hyperlink in paragraph 0079. M.P.E.P. 608.01 states that examples of a hyperlink or browser-executable code are a URL placed between these symbols "< >" and http:// followed by a URL address. M.P.E.P. 608.01 states that when a patent application with embedded hyperlinks publishes electronically on the USPTO website, the URL becomes a live weblink, and USPTO policy does not permit the USPTO to link to any commercial sites.

Applicants believe that paragraph 0079 does not contain an embedded hyperlink. Paragraph 0079 states, "... database searches were performed using the BLAST program available at the National Center for Biotechnology Information (www.ncbi.nlm.nih.gov/)." The URL is not either between the symbols "< >" or preceded by http://, and so is not a hyperlink according to M.P.E.P. 608.01. Furthermore, Applicants have found that in the published electronic application, the URL in paragraph 0079 does not function as a hyperlink.

Information Disclosure Statement

The Examiner stated that reference II of the IDS filed December 2, 2004 is improper because it includes a hyperlink. The Examiner stated that the referenced

sequence should also include the proper accession number and date of publication. A Supplemental Information Disclosure Statement is submitted addressing these objections.

Claim Objections

Claim 1 was objected to for not referring to the elected multiple repeat domain drawn to SEQ ID NO:150. Claim 1 has been amended to obviate this objection.

Claim 5 was objected to for also referring to non-elected subject matter. Claim 5 depends from claim 1, which recites SEQ ID NO: 150, so with the amendment to claim 1 claim 5 does not refer to non-elected subject matter.

Claims 7-9 were objected to for reciting FIG. 5C. Claims 7-9 have been amended to recite FIG. 5, obviating this objection.

The Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

Claims 5, 10, and 11 were rejected under 35 U.S.C. § 112, second paragraph. These rejections are respectfully traversed insofar as they may apply to the amended claims.

Claim 5 was rejected on the basis of an allegedly insufficient antecedent basis for the phrase “repeat domain.” Claim 5 has been amended to recite “the multiple repeat domain,” obviating this rejection.

Claim 10 was rejected on the basis of allegedly insufficient antecedent basis for the phrase “transmembrane domain.” Claim 10 has been amended to recite “the transmembrane anchor.” Applicants believe that this obviates the rejection.

Claim 11 was rejected on the basis of an alleged lack of antecedent basis for the term “transmembrane.” Claim 11 has been amended to recite “the transmembrane anchor.” Applicants believe this obviates the rejection.

The Rejection of the Claims Under 35 U.S.C. § 112, First Paragraph

Claim 6 was rejected under 35 U.S.C. § 112, first paragraph, on the basis that the specification allegedly does not contain a written description of the claimed invention. This rejection is respectfully traversed.

The Examiner stated that the phrase "epitope binding sites that are located at least in part in the C-enclosure" has no clear support in the specification and claims as originally filed. The support for the phrase "at least in part" in this context is provided as discussed above in the section on Objections to the Specification. For the reasons discussed there, the amendment to the specification introducing this phrase in paragraph 20 is supported, and therefore the same language in claim 6 is also supported. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 6 under 35 U.S.C. § 112, first paragraph.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (651-207-8270) to facilitate prosecution of this application.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient first class postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 11 day of April 2006.

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